



February 25, 2026

Maryland Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Testimony Opposing S.B. 329: Education - Certification of Scholarship Granting Organizations (Opting in on Opportunity Act)

Chair Feldman, Vice Chair Kagan, Members of the Committee,

As a concerned Marylander, an educator, and as the Executive Director of the Center for Freethought Equality, I urge you to reject SB 329, the Opting in on Opportunity Act, as well as its companion, HB 455.

The Center for Freethought Equality is the advocacy and political arm of the American Humanist Association, and advocates on behalf of the 30% of Americans—and 33% of Marylanders¹—who identify as humanist, atheist, agnostic, “none,” or “nothing in particular” on issues including the separation of church and state and protecting civil liberties and human rights for all.

In pursuit of those aims, the organization and our members are deeply concerned about any legislative proposal that establishes or expands private school vouchers. On behalf of the Center for Freethought Equality, I urge the committee and the broader Assembly not to opt into the federal voucher program or expand the presence of private school vouchers in our state.

The Reality of the New Federal Voucher Program Tax Credit

In July 2025, Congress passed the One Big Beautiful Bill Act. The law creates a voucher program that offers a novel dollar-for-dollar federal tax credits to individuals who donate to a nonprofit that provides school vouchers to students in private and public schools. However, the law does not require every state to participate; states must opt in. If HB 455 / SB 329 were to pass, Maryland would opt-in to this untested and destabilizing federal voucher program.

This is an unprecedented federal tax policy that caters to the wealthiest Americans. Through this program, anyone can donate up to \$1700 to a scholarship granting organization (SGO), lower their taxable income, and then receive a dollar-for-dollar tax credit back.

¹ <https://www.pewresearch.org/religious-landscape-study/state/maryland/>

Through the federal program, SGOs, which are private organizations unaccountable to the public, would award donated funds to students in private and public schools whose family income is below 300% of their area median income. For example, families of four making up to \$491,700 in Charles, Frederick, Montgomery, Prince George's Counties, would be able to take advantage of this program².

The Federal Program Has Not Been Finalized, Leaving Important Questions Unanswered

This program is currently going through the federal rulemaking process. We do not yet know how the Department of Treasury will shape the program, how SGOs will benefit or be held accountable, how much control states will have in its implementation, or what administrative costs states will bear. It would be irresponsible for Maryland to commit itself on behalf of its residents to any program without knowing exactly what rules it would be beholden to and what the costs and benefits would be to the people of our state.

Private School Vouchers Violate the Principle of Separation of Church and State and Fund Bigotry

Secular public schools—which are funded with public tax dollars and educate 90% of students in the United States—serve every child³. They are required to adhere to laws that ensure all kids, including LGBTQIA+ youth, non-white students, atheists, and disabled students, have fair access to educational opportunity.

Instead of focusing on funding the public education of every child, private school voucher programs—like the one this legislation opts Maryland into—enable state-sponsored discrimination. They redirect otherwise public tax dollars away from public schools to private schools, of which 77% are religious⁴, and all of which are allowed to discriminate in who they educate.

To the detriment of young people in our state, religious schools are incapable of offering an equally accessible education to every student regardless of their faith. 100% of religious private schools are at liberty to discriminate against marginalized students based on, for example, their religion, economic status, disability, sexual orientation, and academic achievement.

Private School Voucher Programs are Unaccountable to the Public

Public schools receive public funds, and thus, they are set up to be accountable to the public. They are subject to open records laws, civil rights protections, public oversight, and elected boards. Private schools, on the other hand, are subject to no such requirements.

All programs that funnel public tax-payer dollars into private religious schools not only disadvantage Americans that rely on public education; they threaten closure of community institutions that, particularly in rural areas, serve as polling places, adult education classrooms, health clinics, and other neighborhood needs⁵.

2

https://static1.squarespace.com/static/582f7c15f7e0ab3a3c7fb141/t/6827928afb5faa3f593d4bb9/1747423883070/Area+Gross+Median+Income+%28AGMI%29+Fact+Sheet_FINAL+%281%29.docx.pdf

³<https://www.pewresearch.org/short-reads/2024/06/06/us-public-private-and-charter-schools-in-5-charts/>

⁴<https://www.pewresearch.org/short-reads/2024/06/06/us-public-private-and-charter-schools-in-5-charts/#:~:text=During%20the%202021%2D22%20school%20students%20attended%20secular%20institutions.>

⁵ https://pfps.org/assets/uploads/Save_Neighborhood_Schools_Say_No_to_Private_School_Vouchers_FINAL_.pdf

Vouchers Subsidize Private Schools and the Wealthy.

Voucher proponents contend that private school vouchers assist the most disadvantaged students. That is not the case. The majority of voucher funds—in some cases, up to 75%—go to students who were not previously public school students⁶. Areas with the lowest poverty rates, highest incomes, and highest educational attainment receive the lionshare of vouchers⁷, and in states with voucher programs, private schools have raised tuition rates as high as 25%⁸.

Evidence Shows that Private School Vouchers Harm Student Outcomes

We know that student success is the first priority of lawmakers. Countless studies show that not only do voucher programs not improve student outcomes, they worsen outcomes in the long run⁹. And vouchers have been found to cause academic delays on par with or worse than the COVID-19 pandemic and natural disasters¹⁰.

Oppose this Legislation.

Lawmakers' interest in supporting the education of Maryland's young people would have a greater impact if directed at improving its public schools, rather than subsidizing wealthy families' private education. Counseling, health care, nutrition, after-school programs, tutoring, special education programs, and capacity building opportunities for educators are all ways to meaningfully support all students regardless of family income—and could all benefit from additional resources.

Lawmakers should be exploring opportunities to strengthen its public education system, not incentivizing more families to leave public schools, which will only worsen education in Maryland. The new federal program is untested and incomplete. It would be negligent of this committee to support this legislation and gamble with our students' futures.

I respectfully urge the committee to reject this legislation.

Thank you for the opportunity to submit testimony and for your consideration. Please contact the American Humanist Association's Policy Manager, Isabella Russian (irussian@americanhumanist.org), with any questions or concerns.

Warmly,



Fish Stark

⁶ <https://www.edweek.org/policy-politics/most-students-getting-new-school-choice-funds-arent-ditching-public-schools/2023/10>

⁷ <https://www.brookings.edu/articles/arizonas-universal-education-savings-account-program-has-become-a-handout-to-the-wealthy/>

⁸ <https://edworkingpapers.com/ai24-949>

⁹ <https://education.indiana.edu/research/centers/ceep/education-policy/policy-briefs/2022/evolving-evidence-on-school-voucher-effects.html> ;

<https://education.indiana.edu/research/centers/ceep/education-policy/policy-briefs/2022/does-competition-help-schools.html> ;

<https://www.fldoe.org/core/fileparse.php/5606/urlt/FTC-Report1819.pdf>

¹⁰<https://time.com/6272666/school-voucher-programs-hurt-students/>

Proud Maryland Resident
Executive Director, Center for Freethought Equality
Vice Chair, City of Annapolis Education Commission
Vice Chair, Annapolis Democratic Central Committee
Treasurer, Young Democrats of Maryland